



**US Army Corps  
of Engineers**  
Huntington District

# Public Notice

In reply refer to:

Issuance Date:

**Public Notice No.** 200200424

March 2, 2004

**Stream:**

Expiration Date:

JUN Trib Joes Run

April 1, 2004

Address comments to:

US Army Corps of Engineers, Huntington District

602 Eighth Street

**ATTN: CELRH-F**

Huntington, West Virginia 25701-2070

**TO WHOM IT MAY CONCERN:** The following application has been submitted for a Department of the Army Permit under the provisions of Section 404 of the Clean Water Act. This notice serves as the Corps of Engineers' request to the Ohio Environmental Protection Agency to act on Section 401 Water Quality Certification for the following application:

**APPLICANT:** Steve Trowbridge  
Zaremba Group LLC  
14600 Detroit Avenue  
Cleveland, Ohio 44107

**LOCATION:** The project is located in unnamed tributaries of Joes Run and adjacent wetlands in Zanesville, Muskingum County, Ohio.

**DESCRIPTION OF PROPOSED WORK:** The applicant proposes to place fill material into waters of the United States in conjunction with the construction of Northpointe Center, a commercial and residential development. The proposal would result in impacts to 0.422 acre of jurisdictional wetlands, 2,822' of perennial, intermittent, and ephemeral stream channel, and 0.136 acre of one jurisdictional pond.

The proposal would include the placement of approximately 680 cubic yards of clean fill material into 0.422 acre of nine jurisdictional wetlands for residential and commercial lot development and associated parking. Approximately 1,764' of six unnamed tributaries of Joes Run would be placed into pipe culverts varying in size from 42" to 60" to facilitate road crossings and commercial lot development. Approximately 1,058' of three unnamed tributaries of Joes Run would be filled in completely to facilitate commercial and residential lot development. Drainage associated with these streams would be maintained by directing flow into existing and new culverts at the site. The applicant also proposes to place fill material into 0.136 acre of the southwest end of the existing man-made pond at the site and excavate the northern and southern section of the pond, expanding its size by 0.411 acre. The new pond would measure 1.66 acres in size. Details of the proposed work can be found in Table 1.

To compensate for impacts to 0.422 acre of jurisdictional wetlands, the applicant has reserved 1.0 acre of wetland credit at the Ohio Wetland Foundation's Slate Run Wetland Mitigation Bank in Pickaway County, Ohio. To compensate for impacts to 2,822' of stream channel, the applicant proposes to preserve approximately 3,333' of four stream channels on-site. All preserved stream channels would be designated as permanent preservation zones and would have a 100' vegetated buffer, 50' on each side of the stream. All preserved stream channels on-site would be

permanently protected with a deed restriction. The applicant also proposes to preserve six wetland areas totaling 0.084 acre on-site. The preserved wetlands would be located within the 100' stream corridor. Stormwater management of the site would occur through the development of several forebays and detention basins throughout the site.

The applicant also proposes off-site stream preservation at a 62-acre site owned by Ohio University-Zanesville (OUZ). The entire 62-acre site would be preserved within a conservation easement, including approximately 2000' of Joes Run and 500' of an unnamed tributary of Joes Run. The site would be used as a passive recreational park and would include recreational trails, a boardwalk through sensitive areas, and a parking area for visitors. Initial rehabilitative measures would include controlling and/or removing invasive species such as Japanese honeysuckle, multi-flora rose, and privet; removing trash throughout the property, and stabilizing unstable streambanks using soil bio-engineering techniques. The proposal would also include developing an interpretive program and providing educational opportunities. The conservation easement would be held and enforced by the Muskingum County Park District.

A total of 0.422 acre of jurisdictional wetland would be filled as a result of the proposal. The project does not require access to or siting within the wetlands to fulfill its basic purpose and is considered a non-water dependent activity. The Section 404(b)(1) Guidelines state that for non-water dependent activities, practicable alternatives that do not involve wetlands are presumed to be available unless clearly demonstrated otherwise. The applicant is required to provide an alternative analysis that must overcome the presumption prior to receiving authorization for the placement of fill material. The applicant has submitted the required alternative analysis and it is currently being reviewed.

Plans of the proposed work are attached to this notice.

A Section 401 Water Quality Certification is required for this project. It is the applicant's responsibility to obtain the certification from the Ohio Environmental Protection Agency.

**HISTORIC AND CULTURAL RESOURCES:** The National Register of Historic Places has been consulted and it has been determined that there are no properties eligible for the register in the area affected by the project. A copy of this public notice will be furnished to the Ohio State Historic Preservation Office for their review. Comments concerning archeological sensitivity of a project area should be based upon collected data.

**ENDANGERED AND THREATENED SPECIES:** The project is located within the known or historic range of the following endangered species:

Indiana bat  
Bald eagle

The Huntington District has consulted the most recently available information and has determined that the project is not likely to affect the continued existence of any endangered species or threatened species, or result in the destruction or adverse modification of habitat of such species which has been determined to be critical. This public notice serves as a request to the U.S. Fish and Wildlife Service for any additional information they may have on whether any listed or proposed to be listed endangered or threatened species may be present in the area which would be affected by the activity, pursuant to Section 7 (c) of the Endangered Species Act of 1972 (as amended).

**PUBLIC INTEREST REVIEW AND COMMENTS:** Any person who has an interest that may be adversely affected by the issuance of a permit may request a public hearing. The request must be submitted in writing to the District Engineer on or before the expiration date of this notice and must clearly set forth the interest which may be adversely affected and the manner in which the interest may be adversely affected by the activity.

Interested parties are invited to state any objections they may have to the proposed work. The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit that reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership and, in general, the needs and welfare of the people. In addition, the evaluation of the impact of the activity on the public interest will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency, under the authority of Section 404(b) of the Clean Water Act. Written statements on these factors received in this office on or before the expiration date of this public notice will become a part of the record and will be considered in the final determination. A permit will be granted unless its issuance is found to be contrary to the public interest.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

If you have any questions concerning this public notice, please contact Kimberly Courts-Brown at (304) 399-5210.

A handwritten signature in black ink, reading "Ginger Mullins". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Ginger Mullins, Chief  
Regulatory Branch

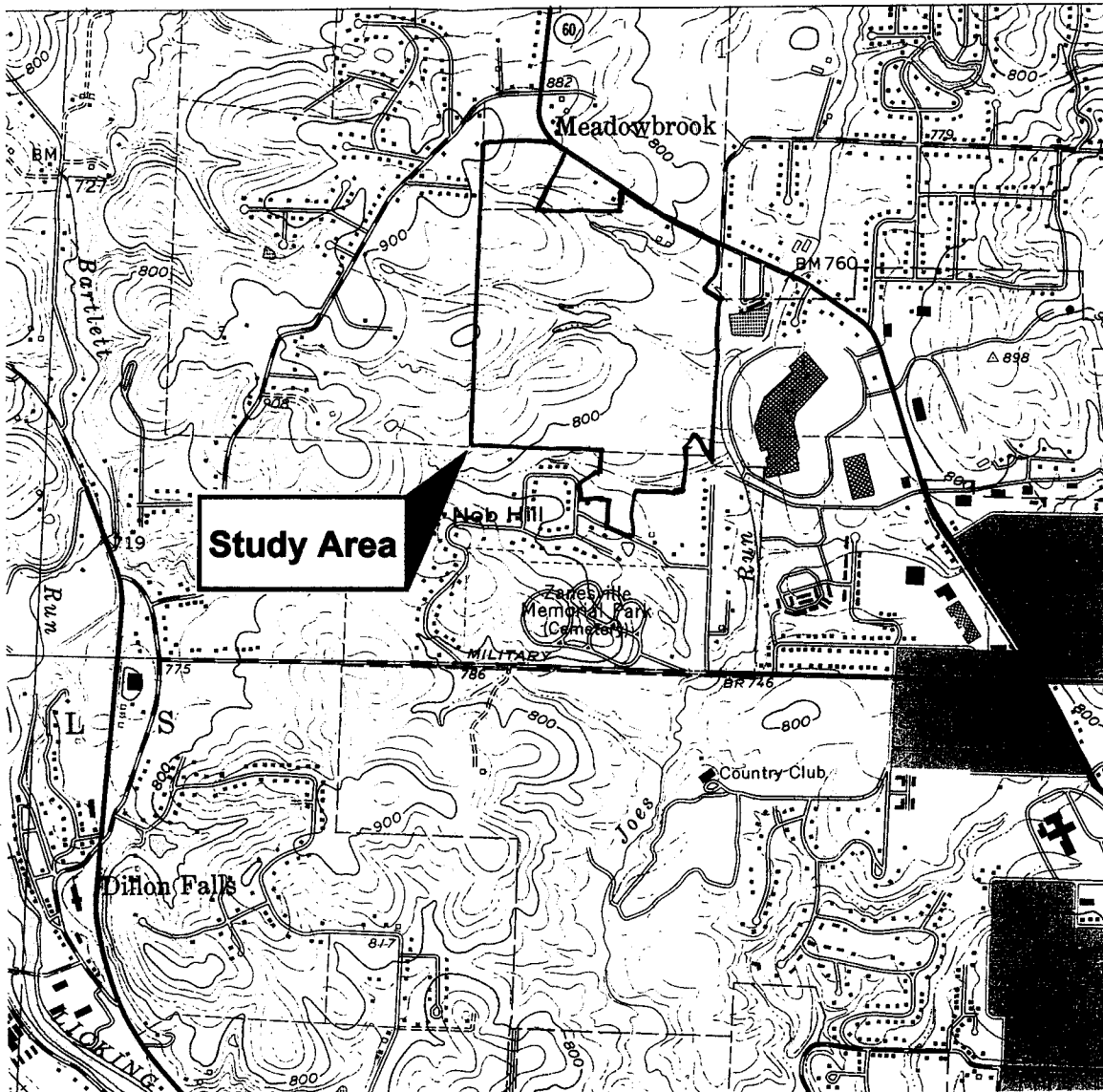
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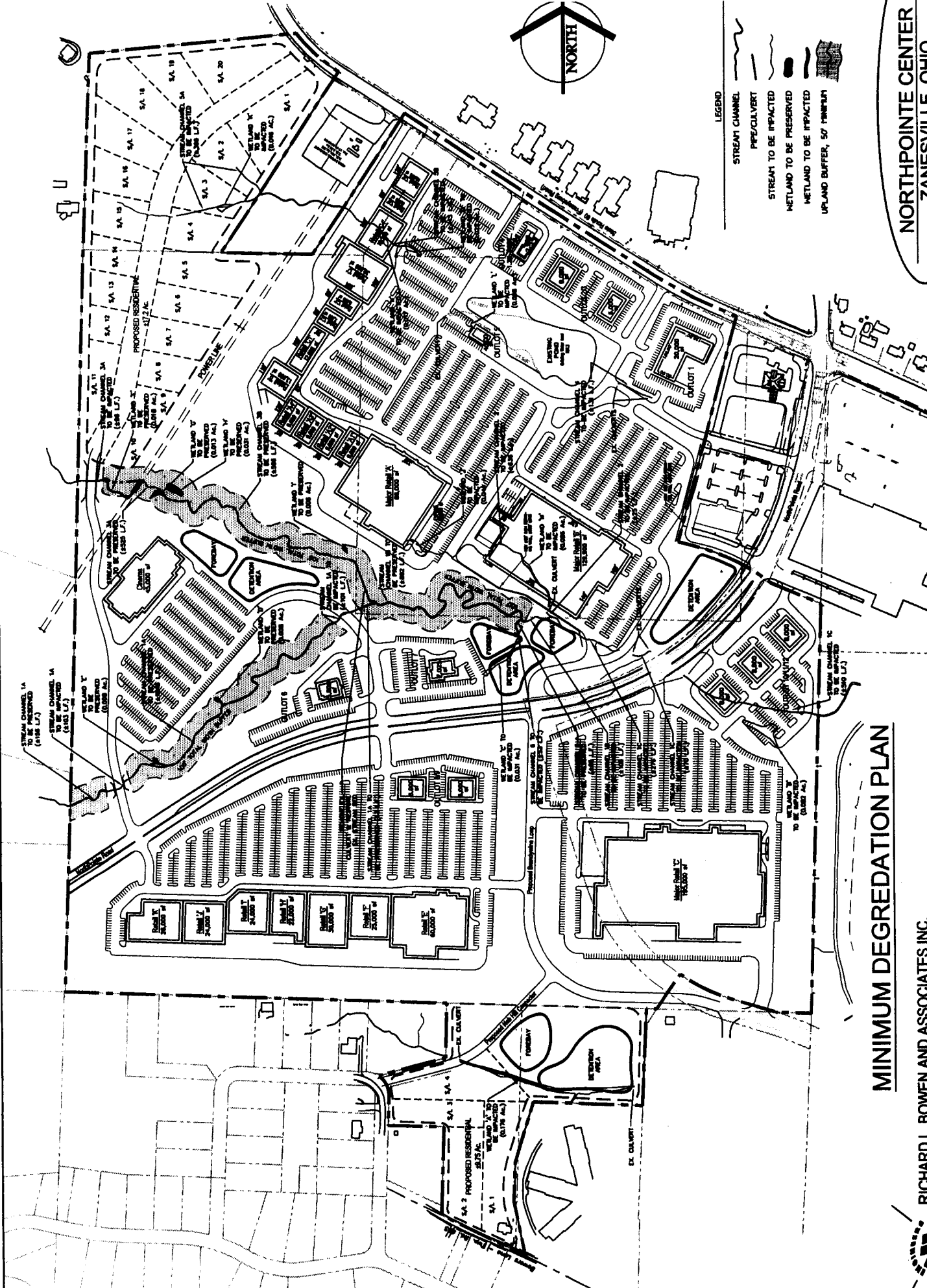
**Appendix C**  
**Location of Study Area on**  
**USGS 7.5-Minute Topographic Map (Zanesville West Quadrangle)**



**Site:** 180 Acres, Ohio 60, Zanesville, Ohio

**Scale:** 1" = 2,000'





- LEGEND
- STREAM CHANNEL
  - PIPE/CULVERT
  - STREAM TO BE IMPACTED
  - WETLAND TO BE PRESERVED
  - WETLAND TO BE IMPACTED
  - UPLAND BUFFER, 50' MINIMUM

# MINIMUM DEGRADATION PLAN

**RICHARD L. BOWEN AND ASSOCIATES INC.**  
 13500 SUMMIT BOULEVARD, CLEVELAND, OHIO 44120  
 (216) 491-9300 -- FAX 491-8053

FOR THE  
**ZAREMBA GROUP**  
 14600 DETROIT AVE.  
 LAKewood, OHIO 44107

**NORTHPOINTE CENTER**  
**ZANESVILLE, OHIO**  
 NORTHPOINTE RD & SR 60 02-19  
**EXB-SK1**

ALPHA JOB# 5838 1"=450' SCALE ISSUED FOR ACOE  
 UNLESS OTHERWISE NOTED, ALL RIGHTS ARE HEREBY SPECIFICALLY RESERVED.



**Table 1. Proposed Types of Impacts**

<b>Waterbody</b>		<b>Total (acres or linear feet)</b>	<b>Amount of Impact (acres or linear feet)</b>	<b>Impact Type</b>	<b>Impact Materials</b>
Wetland A		0.176	0.176	Residential lot development	Clean earthen fill
Wetland B		0.082	0.082	Commercial building, parking	Clean earthen fill
Wetland C		0.031	0.031	Commercial building, parking	Clean earthen fill
Wetland D		0.008	0.000	None	Not applicable
Wetland E		0.008	0.000	None	Not applicable
Wetland F		0.018	0.000	None	Not applicable
Wetland G		0.013	0.000	None	Not applicable
Wetland H		0.031	0.000	None	Not applicable
Wetland I		0.006	0.000	None	Not applicable
Wetland J		0.044	0.044	Commercial building, parking	Clean earthen fill
Wetland K		0.016	0.016	Residential lot development	Clean earthen fill
Wetland L		0.008	0.008	Commercial building, parking	Clean earthen fill
Wetland M		0.026	0.026	Commercial building, parking	Clean earthen fill
Wetland N		0.017	0.017	Commercial building, parking	Clean earthen fill
Wetland O		0.022	0.022	Commercial building, parking	Clean earthen fill
<b>Total Wetlands</b>		<b>0.506</b>	<b>0.422</b>		
Stream 1A	P	1,469	204	Stream crossings (2)	48" Pipe
Stream 1B	P	991	109	Commercial building, parking	60" Pipe
Stream 1C	P	881	881	Commercial building, parking, and stormwater management	60" Pipe
Stream 2	I	636	636	Commercial building, parking	Clean earthen fill
Stream 3A	I	621	96	Stream crossing	48" Pipe
Stream 3B	I	596	0	None	Not applicable
Stream 4	I	131	131	Commercial building, parking	42" Pipe
Stream 5A	E	369	369	Residential lot development	Clean earthen fill
Stream 5B	I	343	343	Commercial building, parking	42" Pipe
Stream 6	E	118	53	Stormwater management	Clean earthen fill
<b>Total Streams</b>		<b>6,155</b>	<b>2,822'</b>		
<b>Pond</b>		<b>1.389</b>	<b>0.136</b>	0.136 acre of the southwest portion of the pond will be filled; the pond will be expanded by 0.411 acre on the north and south sides.	Clean earthen fill

P - Perennial

I - Intermittent

E - Ephemeral



**Location of Proposed Stream Mitigation Site on  
USGS 7.5-Minute Topographic Map (Zanesville West Quadrangle)**



**Site:** 62 acres, Ohio University-Zanesville, Zanesville, Ohio **Scale:** 1" = 2,000'

